

PHARMACY BOARD[657]

Adopted and Filed

Rule making related to synthetic cannabinoids and Schedule IV substances

The Board of Pharmacy hereby amends Chapter 10, “Controlled Substances,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 124.201 and 124.301.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 124.201 and 124.301.

Purpose and Summary

The amendments temporarily place five synthetic cannabinoids into Schedule I as well as two substances into Schedule IV of the Iowa Uniform Controlled Substances Act in response to action taken by the federal Drug Enforcement Administration (DEA).

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 14, 2019, as **ARC 4592C**. No public comments were received. A minor change was made in Item 4 (schedule of solriamfetol) in response to a recent correction published by DEA in the federal register to change the spelling of “car-bamate” to “carbamate.”

Adoption of Rule Making

This rule making was adopted by the Board on November 5, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on January 8, 2020.

The following rule-making actions are adopted:

ITEM 1. Rescind paragraphs **10.39(2)“t”** to **“ae.”**

ITEM 2. Adopt the following **new** paragraphs **10.39(2)“at”** to **“ax”**:

at. Ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers. Other name: 5F-EDMB-PINACA.

au. Methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers. Other name: 5F-MDMB-PICA.

av. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers. Other names: FUB-AKB48, FUB-APINACA, AKB48 N-(4-FLUOROBENZYL).

aw. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers. Other names: 5F-CUMYL-PINACA, SGT-25.

ax. (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts and salts of isomers. Other name: FUB-144.

ITEM 3. Adopt the following **new** subrule 10.39(6):

10.39(6) Amend Iowa Code section 124.210(3) by adding the following new paragraph **“bd”**:

bd. Brexanolone.

ITEM 4. Adopt the following **new** subrule 10.39(7):

10.39(7) Amend Iowa Code section 124.210(6) by adding the following new paragraph **“m”**:

m. Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester)).

[Filed 11/8/19, effective 1/8/20]

[Published 12/4/19]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/4/19.